

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
AUGUST 1, 2006
7:00 P.M.**

ROLLCALL Answering rollcall were Members Housh, Hulbert, Swenson and Mayor Hovland.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Hulbert and seconded by Member Housh approving the Council Consent Agenda as presented.

Rollcall:

Ayes: Housh, Hulbert, Swenson, Hovland

Motion carried.

***MINUTES OF THE REGULAR MEETING OF JULY 18, 2006, APPROVED** Motion made by Member Hulbert and seconded by Member Housh approving the Minutes for the Regular Meeting of the Edina City Council for July 18, 2006, as presented.

Motion carried on rollcall vote – four ayes.

WINNERS OF THE 2006 'IMAGES OF EDINA' PHOTO CONTEST PRESENTED Laura Fulton, Communications Coordinator, presented the winner of the photography contest in the Learning and Living categories, Polly Norman. Ilrid Richards, was the winner in the category of Raising Families. Ms. Fulton said the deadline for next years' 'Images of Edina' Photo Contest was June 27, 2007, for photographic submissions by residents or persons who work in Edina.

***HEARING DATE SET FOR AUGUST 15, 2006, FINAL DEVELOPMENT PLAN - RINK PROPERTIES, 7300 BUSH LAKE ROAD** Motion made by Member Hulbert and seconded by Member Housh setting August 15, 2006, as hearing date for Final Development Plan for Rink Properties, 7300 Bush Lake Road.

Motion carried on rollcall vote – four ayes.

CONCERNS OF RESIDENTS No residents appeared to speak.

***AWARD OF BID FOR ONE WYGANT 24 CHANNEL DIGITAL LOGGER AND SOFTWARE UPGRADE - POLICE DEPARTMENT** Member Hulbert made a motion approving the award of bid for one Wygant 24 channel digital logger and software upgrade for the Police Department to sole bidder, Loffler Companies at \$19,340.00.

Motion carried on rollcall vote – four ayes.

NEW INTOXICATING LIQUOR LICENSE FOR BLUE PLATE RESTAURANT APPROVED Manager Hughes indicated an application has been received for a new intoxicating and Sunday On-Sale liquor license by Blue Plate Restaurant Company to operate the rebuilt, Edina Grill, located at 5028 France Avenue South. Currently, the Edina Grill operates at 3907 West 50th Street as a restaurant with an on-sale wine and beer license and they desire obtaining a full intoxicating liquor license. The application has been reviewed by the Administration, Health, Planning and Police Departments with no

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negative findings. Staff recommends approving the intoxicating and Sunday On-Sale Liquor Licenses.

David Burley, 5349 Whiting Avenue, informed the Council they will close the existing restaurant on Labor Day and reopen at the new location on September 26, 2006. The new restaurant will have additional seating as well as patio seating. He said their request was for licensing for a full-bar in the new location.

Member Housh made a motion closing the public hearing, seconded by Member Swenson.

Ayes: Housh, Hulbert, Swenson, Hovland
Motion carried.

Motion made by Member Swenson approving the issuance of Intoxicating and Sunday On-Sale Liquor Licenses for Blue Plate Restaurant Company dba/Edina Grill for period beginning August 1, 2006 to March 31, 2007. Member Housh seconded the motion.

Ayes: Housh, Hulbert, Swenson, Hovland
Motion carried.

RESOLUTION NO. 2006-77 - ACCEPTING VARIOUS DONATIONS Mayor Hovland explained in order to comply with State Statutes, all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations.

Member Hulbert introduced the following Resolution and moved its adoption:

**RESOLUTION NO 2006-77
ACCEPTING DONATIONS
ON BEHALF OF THE
CITY OF EDINA**

WHEREAS, Minnesota Statute 465.03 allows cities to accept grants and donations of real or personal property for the benefit of its citizens;

WHEREAS, said donations must be accepted via a resolution of the Council adopted by a two thirds majority of its members.

NOW, THEREFORE, BE IT RESOLVED, that the Edina City Council accepts with sincere appreciation the following listed donations on behalf of its citizens.

Donation to the Edina Fire Department:

MN State Dept of Homeland Security & Emergency Mgmt \$1,000
Epson LCD Projector

Donation to the Edina Art Center:

Edina Community Foundation's Peggy Kelly Memorial Fund \$2,037.66
for Italian Mask Maker Workshop

Donation to the Edina Senior Center:

Edina Community Foundation \$2,863.18
LCD Projector/Installation

Donation to the Communications Department:

Edina Community Foundation \$1,550.00
Camera - Canon XL2

Donation to Park and Recreation Department:

Edina Community Foundation \$3,000 - Fireworks
Display

Centennial Lakes Lighthouse Event

Dated: August 1, 200. Member Swenson seconded the motion.

Ayes: Housh, Hulbert, Swenson, Hovland

Motion carried.

YOUTH SPORTS TASK FORCE REPORT PRESENTED Director Keprios indicated at the June 20, 2006, Council meeting, the Youth Task Force was asked to consider the approved Council motion as delineated, 1) criteria for background checks, 2) legal opinion on liability the City might incur if there was involvement, 3) signature for receipt of the documents, 4) definition of what an athletic association is, i.e. listing or describing them, and 5) grievance process when an association may have their own process with a larger organization they were a part of and to be back on the Council Agenda at the August 1, 2006, regular meeting.

The Task Force met on July 25th and addressed each issue as follows:

1. Criteria for Background Checks

Task Force recommended mandatory background checks by a private company on all candidates 18 and older who wish to serve as a coach.

2. Legal Opinion on Liability

Attorney Gilligan drafted a memo dated July 24, 2006, addressing liability exposure due to adoption of the Task Force recommendations.

3. Signature for Receipt of the Documents

The Relationship Document language was changed to no longer mandate all parents requirement to sign documents but they must read and understand the document.

4. Definition of an Edina Youth Athletic Association

The Task Force recommended a seven point definition of requirements to be an Edina Youth Athletic Association.

5. Grievance Process When an Association May Have Their Own Process With a Larger Organization They were a Part Of

The Task Force recommended that each youth athletic association must have a grievance process in place. In cases where an Association was subject to governance by an affiliate organization, grievances were first heard by the Youth Athletic Association and if appealed heard by their respective District, State or National Affiliation, and depending upon the type of grievance, may be appealed to their respective District, State or National Affiliation. Otherwise, the grievance was handled strictly at a local level. Grievances brought to the Edina Youth Athletic Association that do not involve governance by their affiliate organization can be appealed to the Edina Park and Recreation staff as defined in the Relationship Agreement and then to the Edina Park Board. Mr. Keprios reminded the Council that the grievance process does not deal with either team or coach assignment or the tryout process.

The Task Force additionally recommended that City staff and the insurance consultant establish minimum insurance requirements of each and every association that uses Edina's public athletic facilities, and provides for the protection of volunteers, associations as shown in the Relationship Document.

Following a Council discussion, **Member Swenson made a motion adopting the Youth Sports Core Values and Relationship Documents with changes to punctuation and spelling as recommended by the Youth Sports Task Force and the addition of No. 8 to**

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Appendix 1.2 requiring that the Association agrees to adopt the Relationship Document.
Member Hulbert seconded the motion.

Ayes: Hulbert, Housh, Swenson, Hovland
Motion carried.

PANDEMIC FLU REPORT PRESENTED Mr. Hughes indicated that in response to the Council's inquiry on preparations for a pandemic flu. He gave background that Avian flu (H5N1) has spread through bird populations in Asia, Russia and has been detected in European countries. No one knows if H5N1 will become as virulent and contagious in people as it was in birds. Many experts were convinced that even if this flu virus does not explode into a pandemic, another one will, a pandemic event differs from the majority of risks we face in that we will not have access to the resources we were accustomed to having in an emergency. The threat of avian flu calls for contingency planning at all levels, especially the local level, where the burden of response will fall in the event of a pandemic event.

Mr. Hughes introduced Chief Siitari who gave an overview of the City's Emergency Preparedness Plan in general.

Deputy Chief Carlson explained staff was leading a thorough review of the City's emergency operations plan, fine-tuning it to work as a response plan to a flu pandemic. Knowing that the City's work force would be reduced if a pandemic were to occur, he said he was working with a team to prioritize City services that would be available in the event of a pandemic. Mr. Carlson stressed that education and continuity of operations planning would be critical tasks to concentrate on.

The City has a structure and plan in place to address crisis events based on an all hazards approach. The plan would be used to address the threat of avian flu. Addendums and procedures were being developed to prepare the City to handle a pandemic event. Education and continuity of operations planning were critical tasks City staff was engaged in. Pandemic planning was an ongoing process that will adapt to new information as it develops on a national and international basis.

No formal Council action was taken.

***DATE SET FOR CANVASS OF ELECTION RETURNS - 5:00 P.M. NOVEMBER 8, 2006.**
Member Hulbert made a motion setting November 8, 2006, at 5:00 p.m. as the date to canvass election returns for the November 7, 2006, election, seconded by Member Housh.
Motion carried on rollcall vote - four ayes.

***RESOLUTION NO 2006-78 - APPOINTING PRIMARY ELECTION JUDGES** Member Hulbert introduced the following resolution, seconded by Member Housh and moved its adoption:

**RESOLUTION NO. 2006-78
APPOINTING ELECTION JUDGES
FOR THE SEPTEMBER 12, 2006
PRIMARY ELECTION**

WHEREAS, Minnesota Election Law 204B.21 requires that persons serving as election judges be appointed by the Council at least 25 days before the election.

BE IT RESOLVED by the Edina City Council that the individuals named on Exhibit A, and on file in the office of the City Clerk be appointed as election judges for the primary election to be conducted on September 12, 2006; and

BE IT FURTHER RESOLVED that the City Clerk was with this, authorized to make any substitutions or additions as deemed necessary.

Passed and adopted by the Edina City Council this 1st day of August, 2006.

EXHIBIT A

Katherine Aby
Rita Acker
John Adams
David Alkire
John Alt
Carolyn Anderson
Frances Anderson
Lorraine Anderson
Pat Andrus
Jackie Barnard
Ralf Bates
Carol Bertelson
Edna Boehnke
Juliet L Boemer
Vince Bongaarts
Patricia Boran
Holly Borgen
Katherine Bradbury
ZoeAnne Brandberg
Adele H Brellenthin
Mary Brindle
Joann Buie
James H Burnett
Raymond S Buttschau
Mary Calgren
Christine Champion
Janet Cardle
John Cardle
Elaine Carlson
John Carlson
Sandra Carlson
Richard Cheng
Judy Cipolla
Robert V Clapp
Katherine Conley
Eileen Cooke
Jack Cracraft
Marian Cracraft
Colleen Crew
Patrice Darrell
Gloria DeBerg
Delpha DeZellar

Patricia Dill
Robert Dillon
Shirley Dillon
Charlotte Domek
Shirley Doyle
Anne Duff
Claudia Eggan
Lyle Eide
Clara R Engelbert
Paul Fink
Lisa Flint
Joseph A Florenzano
Vi Frana
Rebecca Frederick
Eileen D Freeman
Kathy Frey
Pam Gagnon
Devorah Goldstein
Sue Goodman
Carol Gottesman
George Griffiths
Eunice Groschen
Leticia Guadarrama
Muza Habeck
Maryann Haemig
Eugene E Haman
Mary Ann Hans
Brian Hansen
Joan Hanson
Jean Hare
Meredith Hart
Shawn Hartfeldt
Buddy Hasnudeen
Mary Hasnudeen
Henry L Hatch
Maxine Hatzung
Jacqueline Hegman
Cheryl Heley
Bethel Hoaglund
Lisa Holmberg
Carleen Holvik
Helen Honmyhr

Nancy Hopf
Judy Hoppe
Annette Horton
Terri Hudoba
George Hunter
Paulette Hutton
Myra Hykes
Delores Isaacson
Kathy Iverson
Marilyn P Jackson
Allen C Johnson
Eunice Johnson
Geraldine Ann Johnson
Kate Johnson
Naomi Johnson
Shirley Johnson
Ann R Kapaun
Ann Keenan
Jessica D Kingston
Mavis Klefsaas
Marcia Koester
Julia Kosters
Dorothy M Krueger
Dorothy Kuether
Mary J Landberg
Mary Leak
Patricia M Leefeldt
Cecile Lehman
Bob Lindsey
Jean Liudahl
Susan Long
Lois Loomis
William Lucas
Ginny Mach
Linda Maetzold
Barbara Martin
Sally Mays
Barb McFarlane
Rosemary McGlynn
Frank McGoldrick
Carol Melichar
Ruth Mell

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Marvin Menzel	Betty Pollitt	Michael Stolee
Pat Merritt Holmes	Wendy Powell	Cynthia L Stone
Nancy Miller	Linda Presthus	Gail Teas
Patricia Mills	Judith Proudfit	Abbie Thiss
Louise Mollick	Richard G Pryse	Andrea Tiggas
Paul Monson	Robert Reed	Donna Tilsner
Beth Montgomery	Gail Roberts	James W Tindall
Jane Moran	Lois Robertson	Muriel Towler
Larry Motl	Judith Rodgers	Viem Truong
Ron Naae	Robert Rohlf	Liz VanZomeren
Margaret E Nath	David Rosenbaum	Darla J Vashro
Janet Nelson	Luann Rosenthal-Erickson	Ephie Volpe
Susan Niefeld	Mark Rustad	Ray Voss
Alice Nix	Mary A. Ryan	Patti Wales
Judith Norback	Mary E. Ryan	Jini Washburn
Dennis Nyberg	Penny Sandberg	Joan Watkins
Sally Nyberg	Paul Schroeder	Jenny Weber
Patti Olander	Radonna Schwarz	Deanna Weeks
Audrey Olson	Carol Schwerdfeger	Mike Welbaum
Ordell O'Neill	Amy Scott	Ardis Wexler
Mary Osborn	Marion P Selid	Elizabeth Wiley
Andy Otness	Beverly Severson	Patricia Williams
Pete Pappas	Mike Sewall	Loretta Wold
Mary K Pate	Jacky Smith	Linda Wood
Jean Pearce	Penny Smith	Mary Yee
Carole Peterson	Ruth Smith	Jane M Zimmerman
Doris Peterson	Gail Stalpes	Peter Zirbel
John Peterson	Lynne Stanley	Margaret Zverinova
Maria Pinkstaff	Ardelle Stark	

Motion carried on rollcall vote – four ayes.

*CHANGE ORDER APPROVED - WALL DEMOLITION - GYMNASIUM CONSTRUCTION Motion made by Member Hulbert and seconded by Member Housh approving the change order for wall demolition for the gymnasium construction to Gladstone Construction at \$621.50.

Motion carried on rollcall vote – four ayes.

*CHANGE ORDER APPROVED - FOUNDATION FOOTINGS - SOUTH VIEW MIDDLE SCHOOL AND COMMUNITY CENTER GYMNASIUM CONSTRUCTION Motion made by Member Hulbert and seconded by Member Housh approving the change order for installation of foundation footings to be placed under the stoop entrances at South View Middle School gym and the Edina Community Center gym to Arnt Construction at \$1,288.00.

Motion carried on rollcall vote – four ayes.

*CONFIRMATION OF CLAIMS PAID Member Hulbert made a motion and Member Housh seconded the motion approving payment of the following claims as shown in detail on the Check Register dated July 18, 2006, and consisting of 32 pages: General Fund \$296,087.44; CDBG Fund \$48.00; Communications Fund \$3,042.23; Working Capital Fund \$354,464.35; Construction Fund \$85,730.03; Art Center Fund \$961.70; Golf Dome

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Fund \$1,317.01; Aquatic Center Fund \$14,673.54; Golf Course Fund \$33,982.97; Ice Arena Fund \$7,049.68; Edinborough/Centennial Lakes Fund \$7,070.68; Liquor Fund \$229,184.96; Utility Fund \$1,679,057.68; Storm Sewer Fund \$126,167.69; PSTF Agency Fund \$1,902.59; TOTAL \$2,840,740.55; and for approval of payment of claims dated July 26, 2006, and consisting of 40 pages: General Fund \$403,483.91; Communications Fund \$12,332.44; Working Capital Fund \$25,241.50; Construction Fund \$1,061.56; Art Center Fund \$16,988.54; Aquatic Center Fund \$20,514.54; Golf Course Fund \$31,288.39; Ice Arena Fund \$7,200.26; Edinborough/Centennial Lakes Fund \$35,442.04; Liquor Fund \$153,069.62; Utility Fund \$51,971.65; Storm Sewer Fund \$18,376.19; PSTF \$1,892.11; TOTAL \$778,862.75.

Motion carried on rollcall vote – five ayes.

*PETITION RECEIVED REQUESTING CURB AND GUTTER AT 5100 JUANITA AVENUE Motion made by Member Hulbert and seconded by Member Housh acknowledging receipt of the petition requesting curb and gutter at 5100 Juanita Avenue and to refer the petition to the Engineering Department for processing as to feasibility.

Motion carried on rollcall vote – four ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 8:32 P.M.

Respectfully submitted,

City Clerk